

### C. Remarks

Claims 2, 3, 5, 7, 9-17, 20, 22-26 and 28-30 are pending in this application, with claims 2 and 22-24 being independent. Claims 1, 22 and 68-71 have been cancelled without prejudice or disclaimer. Claims 2, 3, 5, 7, 9-17, 20, 22-26 and 28-30 have been amended. Specifically, each of claims 2 and 22-24 has been amended to be in independent form, while each of claims 11 and 17 have been made to depend from claim 2 instead of cancelled claim 1; the remainder of the claims have been amended as to formal matters only. All amendments are fully supported in the specification and claims as originally filed. Reconsideration of the present claims is respectfully requested.

Claims 1, 21 and 68 stand provisionally rejected under the judicially-created doctrine of obviousness-type double patenting over claim 36 of child Application No. 10/052,338. Claims 17 and 70 stand provisionally rejected under the judicially-created doctrine of obviousness-type double patenting over claim 44 of the '338 application. Claims 11, 12, 20, 69 and 71 stand provisionally rejected under the judicially-created doctrine of obviousness-type double patenting over claims 36, 44, 68 and 70 of the '338 application in view of U.S. Patent No. 5,172,134. While Applicants respectfully traverse these rejections, Applicants have nonetheless cancelled each of claims 1, 21 and 68-71 and amended each of 11, 12, 17 and 20 to depend from claim 2 instead of claim 1. Such amendments are made without prejudice or disclaimer. Accordingly, the rejections of claims 1, 11, 12, 17, 20, 21 and 68-71 are now moot and should be withdrawn.

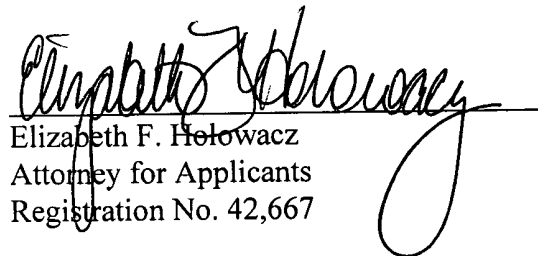
Applicants note with appreciation the Examiner's indication that claims 2, 3, 5, 7, 9, 10, 13-16, 22-26 and 28-30 are directed to allowable subject matter. In that regard, Applicants have now amended each of claims 2 and 22-24 to be in independent

form and amended each of claims 11, 12, 17 and 20 to be ultimately dependent on claim 2. Applicants respectfully submit that all of pending claims 2, 3, 5, 7, 9-17, 20, 22-26 and 28-30 are now in condition for allowance.

In view of the foregoing amendments and remarks, favorable reconsideration and passage to issue of the present case is respectfully requested. Should the Examiner believe that issues remain outstanding, the Examiner is respectfully requested to contact Applicants' undersigned attorney in an effort to resolve such issues and advance the case to issue.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

  
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